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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,853	12/08/2003	Nam-Ki Min	007937.P039	6429
8791 7590 12/15/2008 BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040				
EXAMINER				
TRAN, QUOC DUC				
ART UNIT		PAPER NUMBER		
2614				
MAIL DATE		DELIVERY MODE		
12/15/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/730,853

## Applicant(s)

MIN ET AL.

## Examiner

Quoc D. Tran

## Art Unit

2614

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1, 8, 15, 17, 19, 21, 23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 8, 19 and 21 is/are allowed.
- 6) ☒ Claim(s) 15, 17, 23 and 25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 15 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al (2003/0054863) in view of Lindquist et al (6,687,362).

Consider claim 15, Lee et al teach a mobile terminal (Fig. 2), comprising: a radio frequency (RF) receiver to receive data including caller information during a call over a forward traffic channel after a call connection is setup (§ 0039-0041, 0044; ***It should be noted that the caller image information is transmitted from the calling EU to network Node B and then to the called EU (see Fig. 4, step 449). Thus, mobile communications from calling EU to Node B is uplink channel (i.e., reverse traffic channel) and communication from Node B to the called EU is a downlink channel (i.e., forwarding traffic channel)***); a memory unit to store the caller information to be linked with a telephone number of a caller terminal (§ 0031, 0044); and a controller to control the mobile terminal to display the caller information if a paging signal is received for the call with the caller terminal after terminating the voice call (§ 0027-0028, 0048).

Lee et al did not suggest *wherein the caller information is automatically updated in the mobile terminal by linking an updated image or updated telephone number contained in the data*

*with a preexisting telephone number stored in a telephone directory.* However, Lindquist et al suggested such (col. 4 line 51 – col. 5 line 41; col. 6 lines 55-62).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Lindquist et al into view of Lee et al in order to eliminate manual entry of data (col. 2 lines 36-40).

Consider claim 23, Lee et al teach wherein the caller information is transmitted in the form of a packet (¶ 0041).

3. Claims 17 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al (2003/0054863) in view of Partridge, III (H1714).

Consider claim 17, Lee et al teach a mobile terminal, comprising a memory unit to store caller information (Fig. 2); and a radio frequency transmitter to transmit data to a service system during a voice call over a reverse traffic channel (see Fig. 4, 449, *transmitting caller data to Node B+RNC+CN*), wherein the data includes the caller information (i.e., caller image) and a telephone number of a receiving party (i.e., dialing number) (see ¶ 0033). *It should be noted that a reverse traffic channel is an uplink channel from the mobile station (i.e., calling EU) to the base station (i.e., Node B).*

Lee et al did not suggest wherein the service system (SERVER or NODE(s)) stores the data until the receiving party (called terminal) can receive the caller information. However, Partridge, III teaches a system and method for transmitting still image as caller ID data where the data stored in the storage (i.e., service system) coupled to the network (see abstract) and soon as an available path has been located and connection to the called terminal (i.e., receiving party) has

been established (i.e., the called terminal can receive caller data), the processor begins to transmit the image data over the link to the called terminal (see col. 5 lines 44-51).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Partridge, III into view of Lee et al in order to transmit data upon availability of the receiving terminal.

Consider claim 25, Lee et al teach wherein the caller information is transmitted in the form of a packet (§ 0041).

***Allowable Subject Matter***

4. Claims 1, 8, 19 and 21 are allowed.

***Response to Arguments***

5. Applicant's arguments with respect to claims 15, 17, 23 and 25 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
7. Any response to this action should be mailed to:

Mail Stop \_\_\_\_ (explanation, e.g., Amendment or After-final, etc.)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

**(571) 273-8300**

Hand-delivered responses should be brought to:  
Customer Service Window  
Randolph Building  
401 Dulany Street

Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Quoc D Tran/  
Primary Examiner, Art Unit 2614  
December 11, 2008